

# CITY OF ROCKVILLE PLANNING DIVISION STAFF REPORT

March 13, 2002

## SUBJECT:

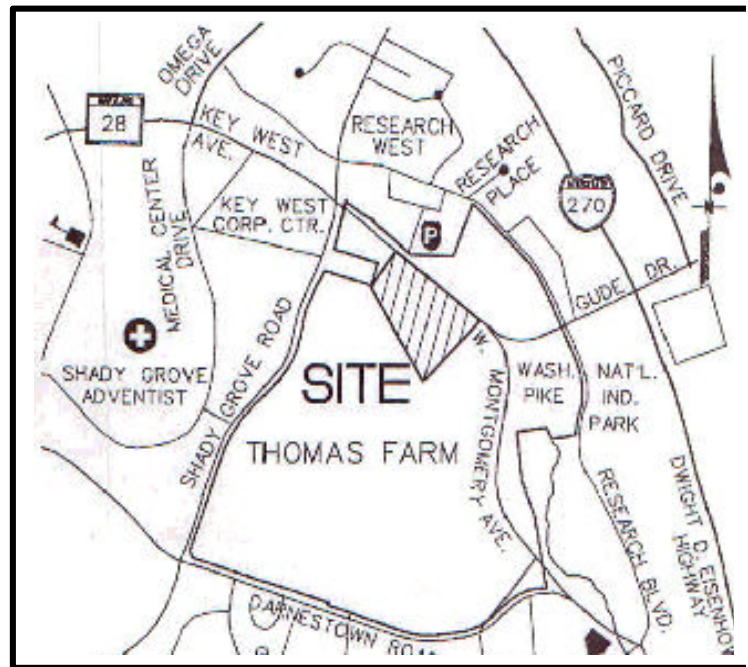
Detailed Application CPD2001-0004P for  
Comprehensive Planned Development  
CPD1999-0004, Falls Grove

Applicant: Jefferson at Thomas Farm, LLC  
8230 Boone Boulevard, Suite 340  
Vienna, VA, 22182

Owner: same

Date Filed: December 20, 2001

Location: A portion of the former Thomas Farm,  
near the corner of West Montgomery  
Avenue and Falls Grove Drive, generally  
described as Phase III.



*Proposed Location*

## REQUEST:

The applicant seeks detailed (final) approval for 268 multi-family units at the above location. The units will be in 9 multi-family buildings that are each four stories tall. In addition, the application includes 35 Moderately Priced Dwelling Units (MPDUs) scattered throughout the buildings.

## PREVIOUS RELATED ACTIONS:

- CPD99-0004, Concept Plan Application for Comprehensive Planned Development approved by the Mayor and Council, February 22, 2000.
- CDP2000-0004A through CPD2001-0004N, Detailed Applications for Comprehensive Planned Development CPD99-0004. All approved by the Planning Commission.

## RELEVANT ISSUES

In reviewing the application, the following issues emerged and have been addressed:

- The TransCo easement creates an area of sparse landscaping through a portion of the site. Applicant is looking into permission for low ground cover for these areas.

- Given the TransCo easement, the orientation of the buildings and the upward grade of the site, particular attention has been given to four-sided architectural treatments.
- Staff finds that one dumpster and one compactor on opposite sides of the project were inadequate. The Applicant has added one dumpster to the site, and there are now three.
- Staff was concerned about placement of condenser units on the ground on this project. Applicant has proposing through-wall HVAC systems, which will need to be shown and approved by the Fallsgrove Architectural Review Committee.

## **ANALYSIS**

### **Background**

On February 22, 2000, the Mayor and Council approved CPD99-0004, authorizing development on the former Thomas Farm site, now known as Fallsgrove. The approval authorized a total of 1,530 dwelling units, 150,000 square feet of commercial retail and 950,000 square feet of office/research and development space. A Comprehensive Planned Development is implemented through the approval of individual detailed applications for all or part of a development as required in Section 25-656 of the Zoning Ordinance. This application is part of a series of detailed applications. This application also represents the last Detailed Application for residential development on Fallsgrove.

Upon approval of this Detailed Application, there will be a total of 1,411 units approved through the residential series of Detailed Applications (see attached chart). Although only 1,411 total units will be constructed, the Concept Plan limited the number of multi-family units to 765. A total of 747 multi-family units will be constructed.

It must be noted that the Bozzuto condominium project (CPD2001-0004M, approved by the Planning Commission) has received approval from Planning staff to reduce the number of units of its project from the Planning Commission approved number of 140 to an actual construction number of 119. This results in a 21 unit net decrease in the number of approved multi-family units. It has been the policy of the Planning Department to determine that a unit reduction is not a substantial deviation from the approved Detailed Application requiring Planning Commission approval. However, a unit increase would be considered a substantial deviation requiring Planning Commission action.

Consequently, the Bozzuto unit reduction, combined with the JPI request for 268 units, places the total number of multi-family units at 747.

The retail component of the development is also approved. To date, approximately 340,981 square feet of the total component of 950,000 square feet of office space has been approved for the Fallsgrove development.

## Property Description

Fallsgrove consists of approximately 254 acres bounded by Shady Grove Road, Darnestown Road, West Montgomery Avenue and Research Boulevard. The topography varies from rolling farmland on a majority of the site to an upland forest area near the intersection of Gude Drive and West Montgomery Avenue.

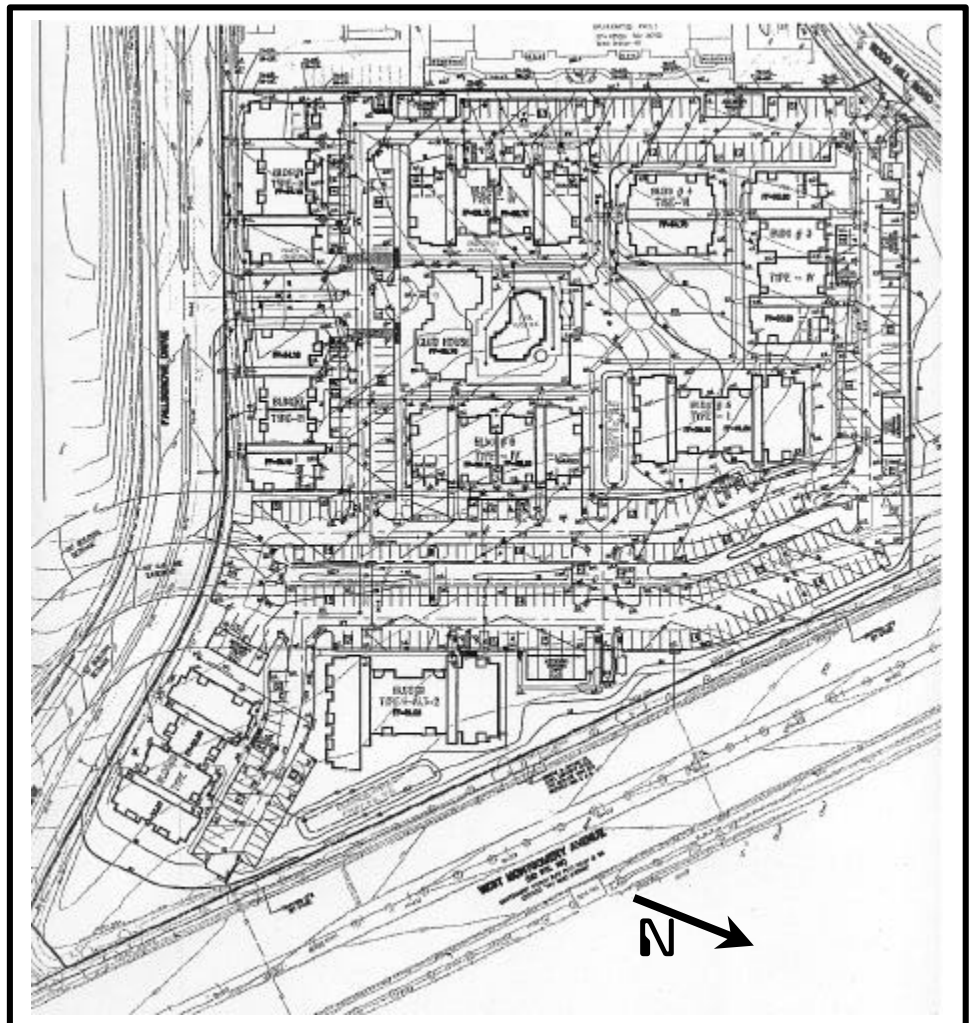
The property of this application is located at the intersection of West Montgomery Avenue and Fallsgrove Drive. The topography is gently rolling with a modest grade increase from the property boundary on West Montgomery Avenue up Fallsgrove Drive to the property boundary of the approved Bozzuto condominium project.

A major design feature and consideration of this property is the presence of a TransCo gas line and easement through the portion of the property relatively parallel and adjacent to the West Montgomery Avenue frontage of the property.

## Proposal

The applicant requests detailed application approval for 268 multi-family units on approximately 9.82 acres of land, generally in the area of the intersection of West Montgomery Avenue and Fallsgrove Drive. The units will be in 9 buildings that are each four stories in height.

Three of the buildings are oriented towards Fallsgrove Drive, with the main entrance of the development being from Fallsgrove Drive. This entrance is directly opposite the park/school site and upland forest area of Fallsgrove. Building 8, while facing Fallsgrove Drive, will have a presence on the corner of Fallsgrove Drive and West Montgomery Avenue. Building 9 will be adjacent to West Montgomery Avenue as well, although the main facade will face to the interior of the site. Both building 8 and 9 are between the TransCo easement and West Montgomery Avenue, and both buildings will have a presence on West Montgomery Avenue, although no access will be provided from West Montgomery Avenue.



The main entrance for the site is from Falls Grove Drive, between buildings 1 and 7. Both of these buildings front on Falls Grove Drive, but provide parking in the rear. The main entrance terminates at the clubhouse for the development. Secondary ingress and egress to the site will be provided from Woodhill Road at the rear of the site. Woodhill Road will provide access to West Montgomery Avenue and Shady Grove Road via Blackwell Road.

The clubhouse will provide leasing information and typical amenities, including a pool provided to the rear. Behind the pool, stretching to directly behind building 3, is a large courtyard open space. The balance of the buildings are spread around the site, with the TransCo easement bisecting the property. Code Section 25-749 (d) requires that residential buildings be setback a minimum of 50 feet



from the gas line easement, which is itself 50 feet wide. Parking and structures may be provided within the setback, however. Given the design constraints created by the easement and setback, a preponderance of the parking for the site will be provided within the easement. There will be green areas provided within the easement areas that will contain some low ground cover, but TransCo prohibits landscaping within the easement that contains significant root structures.

Buildings 5 and 6 will be oriented towards the easement on the upland side, and building 9 will be oriented towards the

easement on the lowland side adjacent to West Montgomery Avenue. Landscaping will be provided between the easement and West Montgomery Avenue.

### **Moderately Priced Dwelling Units (MPDUs)**

There are 35 MPDUs as part of this application, and they are dispersed throughout the development. No building will contain more than seven MPDUs. The dispersal and number of MPDUs (13 percent of the total number of units provided) is consistent with the Concept Plan. The number of units and MPDUs for this project is broken down as follows:

<i>Building Number</i>	<i>Total Number of Units</i>	<i>Number of MPDUs</i>
<b>1</b>	<b>31</b>	<b>4</b>
<b>2</b>	<b>30</b>	<b>3</b>
<b>3</b>	<b>30</b>	<b>3</b>
<b>4</b>	<b>16</b>	<b>2</b>
<b>5</b>	<b>32</b>	<b>4</b>
<b>6</b>	<b>30</b>	<b>3</b>
<b>7</b>	<b>31</b>	<b>4</b>
<b>8</b>	<b>32</b>	<b>6</b>
<b>9</b>	<b>36</b>	<b>6</b>
<b><i>Totals</i></b>	<b>268</b>	<b>35</b>

It must be noted that the Concept Plan approved, does not require each Detailed Application meet the 12.5% MPDU requirement, as long as the total number of MPDUs for the Fallsgrove project was 12.5% of the final approved residential unit number. The total number of units approved for Fallsgrove, after approval of this application, will be 1,411. The MPDU requirement is 177 (12.5% of 1411). This final residential Detailed Application provides 35 MPDUs for a total of 177, fulfilling the 12.5% requirement of the Fallsgrove development.

**STAFF RECOMMENDATION:**

Approval is recommended, subject to the following conditions:

1. Submission, for approval by the Chief of Planning, of eleven (11) copies of the site plan, revised according to Planning Commission Exhibit A.
2. Submission, for approval by the Department of Public Works (DPW), of the following detailed plans, studies and computations:
  - a. Stormwater Management (SWM) plan.
  - b. Sediment control plans.
  - c. Private Improvement Plans (water and sewer, storm drain and paving).
  - d. Any additional notes on the plans.
  - e. Drainage study.
4. Bonds be posted and permits obtained from DPW, MDE and MSHA as required.

5. The three off-site water main improvements, as identified in the June 23, 2000 letter to Cox Companies, must be constructed prior to building permit issuance.
6. Ponds 3,4,5,6 and the stream restoration must be permitted by Rockville & MSCD prior to the issuance of any DPW permit that allows the creation of impervious area and completed prior to occupancy permit issuance.
7. Contiguous roads must be permitted with base pavement installed prior to issuing DPW permits for on-site work, including sediment control.
8. Submit SWM concept to DPW for review and approval prior to Planning Commission action. SWM concept must comply with letter to LAI dated 12-1-2000.
9. Obtain General Permit for pool discharge from MDE.
10. Public water, waste water & stormwater utility lines that serve this site must be permitted prior to building permit issuance & constructed prior to occupancy permit issuance
11. Show water connection to public main.
12. Submission for the approval of the Chief of Planning, of 11 copies of a Landscape Plan that is revised according to Planning Commission Exhibit B.
13. Submission of an Applicant-signed copy of the Detailed Application approval letter.

## **TRANSPORTATION**

### **Traffic**

A traffic study was done as part of the Concept Plan approval, and this application is in compliance with the approved Concept Plan. Mitigation of the traffic impacts were required as part of the Concept Plan. Mitigation measures include the construction of improvements to 12 intersections, construction of a transit center, payment of \$1.6 million for Transportation Demand Management (TDM) measures, and construction of on-site roads.

The Applicant has provided a bond in the amount of \$2.2 million for required off-site traffic improvements, as per the requirements of the Concept Plan. It should be noted that the Resolution of Approval requires that all Phase I off-site road improvements, as outlined within the Resolution on page 26, must be completed within three years of the issuance of the first grading permit. In addition, Falls Grove Associates has begun the permitting and design process for all off-site road improvements. Many will be under construction this summer.

### **Parking**

Based on the number of units, the development is required to have 379 parking spaces. There will be 425 spaces provided in the form of surface lots, garage spaces, tandem spaces and accessory garage parking. There will be 319 surface spaces, 18 handicap spaces (including two van spaces), 24 garage



spaces, which are provided within the multi-family building structure, 34 tandem spaces, and 30 spaces provided in accessory garages on the site. Of these accessory garages, six buildings will each house five spaces. None of the garages that are integral to the buildings will face a public right-of-way.

## **Architecture**

There will be a few varieties throughout the various building types associated with this application. There will be a consistent design palette, however, with the predominant theme being a stone façade base with “Hardy Plank”/siding on the balance of the facades. This natural color stone treatment will be continuous along all four sides of all nine buildings, given the public visibility of all of the building facades. All of the buildings will have pitched roofs with composite asphalt shingles, keeping the same tone and theme as other multi-family projects within Falls Grove.

The design of these buildings varies slightly from the previous JPI submittal. Whereas the previous submittal by JPI had integral hallways, this design will be an open breezeway configuration on all four of the buildings’ floors. All of the buildings will have four floors, similar to the previous submittal, but there will be fewer integral garages associated with this building.

## **Pedestrian Access and Bicycle Paths**

The entire site is interconnected via pedestrian paths and sidewalks. Pedestrian and bike access is provided to Falls Grove Drive and Woodhill Road. Falls Grove Drive will connect to the multi-modal transit center and the Village Center, as well as other points within the development, and areas outside of the city limits.

## **Transit**

The Concept Plan shows a multi-modal transit stop as part of the retail center. This multi-family area is adjacent to Falls Grove Drive and in relatively close proximity to the transit center associated with the retail center. The development will provide easy access via walking or biking to on-site amenities, the amenities and transit facilities associated with the retail center, and overall community facilities located within Falls Grove.

## **STORMWATER MANAGEMENT**

A stormwater management (SWM) facility located along West Montgomery Avenue near Darnestown Road serves this site. This SWM area, referred to as Pond #3 and approved for alteration by Detailed Application CPD2000-0004A, is an area the approved Concept Plan has identified as a SWM area. Prior to exiting the site and entering the public storm drain system, a portion of the site’s runoff will be directed to various on-site bioretention facilities to meet the state’s new recharge volume requirement. Plantings will surround these bioretention areas.

## **LANDSCAPING**

There is approximately 3.12 acres of open and green space proposed with this application. A landscape plan for the site has been provided as Planning Commission Exhibit "B."

### **Forest/Tree Preservation**

See condition number five (5).

### **Equipment Screening**

All transformers or telecommunications equipment are required by the City of Rockville to be placed underground. Any equipment that the applicant proposes to place above ground must be approved in accordance with the submission and approval of a waiver of the city's underground utility requirements. This waiver must be approved by the City of Rockville Planning Commission.

The Applicant has indicated that all equipment locations are shown on the plans and will be underground or integrated within buildings. In addition, there will be no air conditioning condenser units located on the ground. The Applicant has stated that all the HVAC systems will be a through-wall design on the buildings.

Dumpsters will be screened by enclosures that are brick pier and wood construction, as per the Fallsgrove Design Guidelines.

## **ART IN PUBLIC PLACES**

The Applicant has responded to the provision of art in public places by stating that the Fallsgrove development group, of which the Applicant is a part, has provided a significant amount of money, as per the Concept Plan, for the provision of art for the whole community. The Applicant points to the recently approved art for the Village Green near the Village Center of Fallsgrove as part of their contribution.

## **STAFF COMMENTS**

This application is consistent with the approved Concept Plan, and staff recommends approval subject to the conditions listed earlier. Staff believes the layout of the site is functional and convenient, with particular attention given to four-sided architecture. The architecture of the buildings, particularly on major streets, will give the project an interconnected feel. Staff feels that it is paramount to have façade treatments consistent around all four sides of all of the buildings. The TransCo easement makes landscaping sparse through a large area of the site, and architecture needs to help mitigate this aspect of the development. There are open spaces provided throughout the site, and close proximity to community amenities enhance the connectivity of the various buildings.

Staff also believes the density and scale of the project is appropriate given the transit-oriented nature of the community and the proximity to the village center and multi-modal transit center.



Staff endorses this application as meeting the full intent of the multi-family component of the approved Concept Plan and the accompanying resolution.

## NOTIFICATION

Notices were sent to approximately 750 residences, businesses and association presidents. Some of the subdivisions include, but were not limited to, Glenora Hills, Rockshire, the Willows, Carter Hill, Watts Branch Meadows, Cambridge Heights, Ivy Woods and Flintledge Estates.

## APPROVAL LIMITATIONS

Section 25-193(d) of the Zoning Ordinance requires that **construction or operation must commence within two (2) years of the date of this decision or application approval shall expire.** If the applicant can show just cause, a maximum of two (2) time extensions may be granted by the Planning Commission, each not to exceed one year. However, time extensions are not automatically approved, and sufficient detail and justification will be required in order for the Planning Commission to consider granting an extension.

## CONCLUSION

Staff believes that this application is consistent with the approved Concept Plan approved by the Mayor and Council for this area of Fallsgrove. As a result, staff recommends approval of Detailed Application CPD2001-0004P for 268 multi-family residential units and the accompanying amenities, with the conditions noted above.

Attachments